

**United States District Court  
For The  
District of North Dakota**

## Petition for Action on Conditions of Pretrial Release

COMES NOW, Heather Achtenberg-Heck, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, Redfawn Fallis who was placed under pretrial release supervision by the Honorable Charles S. Miller Jr., Magistrate Judge, sitting in the Court at Fargo, on October 27, 2017, under the following conditions:

1. The defendant must not violate federal, state, tribal, or local law while on release.
2. The defendant must advise the Office of Probation and Pretrial Services and defense counsel in writing before making any change in address or telephone number.
3. The defendant must appear in court as required and must surrender to serve any sentence imposed.
4. The defendant must sign an Appearance Bond, if ordered.

IT WAS FURTHER ORDERED that the release of the defendant be subject to the conditions set forth below:

5. Defendant shall report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.
6. Except upon prior approval from the Pretrial Services Officer, the defendant's travel is restricted to the Fargo Metropolitan area.
7. The defendant shall refrain from any use of alcohol; any use or possession of a narcotic drug and other controlled substances defined 21 USC 802 or state statute, unless prescribed by a licensed medical practitioner; and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection process or specimen may be considered the same as a positive test result.
8. Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
9. Defendant shall not knowingly or intentionally have any direct or indirect contact with

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any witnesses in her case except that counsel for the defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of the defendant's legal defense.

10. Defendant shall undergo a substance abuse and/or mental health evaluation if required by the Pretrial Services Officer and comply with resulting counseling or treatment recommendations.
11. Defendant shall reside at a Residential Facility to be designated by the Pretrial Services Officer and shall participate in the center's programs and abide by its rules and regulations.
12. If so directed by the Pretrial Services Officer, Defendant shall be monitored by the form of location monitoring indicated below and shall pay all or part of the costs of participation in the location monitoring program as directed by the Court and the pretrial service officer:

- Location monitoring technology at discretion of the officer
- Radio Frequency (RF) Monitoring
- Passive GPS Monitoring
- Active GPS Monitoring
- Voice Recognition

13. Defendant shall submit his/her person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

1. **Violation of Condition #11** : The defendant signed out of Centre Inc. at 8:05am on January 18, 2018, to attend her GED courses at the Adult Learning Center located at 1305 9<sup>th</sup> Ave South in Fargo, North Dakota. At 2:24pm Centre staff went to the Adult Learning Center and the defendant was not present. Centre staff asked the Adult Learning Center staff if the defendant was present today. Adult Learning Center staff confirmed the defendant did not attend class today. The defendant was set to return to Centre at 4:00pm and at 4:30pm returned.

PRAYING THAT THE COURT WILL ORDER: A warrant be issued for her arrest.

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I declare under penalty of perjury that the foregoing is true and correct.

Respectfully,

/s/ Heather Achtenberg-Heck 01/18/2018  
U.S. Pretrial Services Officer  
Place: Fargo

**ORDER OF THE COURT**

Considered and ordered this 18<sup>th</sup> day of January, 2018, and ordered filed and made a part of the record in the above case.

- Warrant to be issued
- Summons to be issued
- Notice of hearing to be filed
- Modification of the defendant's conditions of release
- Other



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Daniel L. Hovland  
Chief U.S District Court Judge